

REMARKS

This Amendment is being filed in response to the Final Office Action mailed January 22, 2009, which has been reviewed and carefully considered.

By means of the present amendment, claim 6 has been canceled without prejudice and its features included in independent claim 1. Accordingly, no new issues requiring a new search have been introduced and entry of the present Amendment is respectfully requested.

Claims 1-5 and 7 remain in the Application, where claim 6 has been canceled without prejudice. Claim 1 is independent.

In the Final Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,950,847 (Duda) in view of U.S. Patent No. 6,568,083 (Taniguchi). Applicants respectfully traverses and submits that claims 1-5 and 7, as amended, are patentable over Duda and Taniguchi for at least the following reasons.

Duda is directed to dry-shaver having a reciprocating drive cutter that cooperates with a stationary counter-cutter. As correctly noted on page 2 of the Final Office Action, Duda does not

disclose or suggest a carrying device which is movable and carries both the short and long hair cutting devices. Taniguchi is cited in an attempt to remedy the deficiencies in Duda.

Taniguchi is directed to a dry shaver capable of being depressed equally at different positions but with differing contact pressures between outer and inner cutters which appear to be driven. The Taniguchi shaver has a housing that includes inner and outer cutters 61, 62 as shown in FIG 5. As shown in FIG 5 and recited on column 7, lines 8-16, "the cutter holder 63 is vertically movable relative to the head frame 70 ... The cutter holders 63 each carrying the outer cutter 62 are provided for short hair shaving, while a long hair shaving cutter unit 66 is also supported to the head frame 70." (Emphasis added) Thus, when the head frame 70 is moved, the cutting characteristics of both the short hair outer cutter 62 and the long hair cutter unit 66 are changed.

It is respectfully submitted that Duda, Taniguchi, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable features, recites (illustrative emphasis provided):

wherein moving the carrying device between the first operating position and the second operating position alters cutting characteristics of the long-hair cutting device while cutting characteristics of the at least one short-hair cutting device remain substantially unchanged.

A carrying device which is moveable between two positions, where cutting characteristics of a long-hair cutting device are changed, while cutting characteristics of the short-hair cutting device remain substantially unchanged, is nowhere disclosed or suggested in Duda and Taniguchi, alone or in combination. Rather, in Taniguchi, the cutting characteristics of both the short hair outer cutter 62 and the long hair cutter unit 66 are changed.

Accordingly, it is respectfully submitted that independent claim 1 should be allowable. In additions, claims 2-5 and 7 should be allowable at least based on their dependence from independent claim 1, as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

For example, as correctly noted by the Examiner on pages 2-3 of the Final Office Action, Duda and Taniguchi do not disclose or

suggest a sliding button, as recited in claim 3-5. Rather, Taniguchi discloses a rotary dial 100. It is respectfully submitted that the Taniguchi rotary dial 100 does not disclose or suggest a "sliding button [which] is accessible from outside the housing, can slide parallel to the adjustment direction, and is coupled to the carrying device," as recite in claim 3; or a "sliding button [that] has an extension projecting into an interior of the shaving apparatus, said extension projecting into a recess in the carrying device," as recite in claim 5.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,



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